

**U.S. District Court  
Northern District of Ohio (Akron)  
CIVIL DOCKET FOR CASE #: 5:10-cv-01108-SL  
Internal Use Only**

Video Products, Inc. v. Lastar, Inc. et al  
Assigned to: Judge Sara Lioi  
Cause: 28:1338 Patent Infringement

Date Filed: 05/17/2010  
Date Terminated: 02/15/2011  
Jury Demand: Both  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**Video Products, Inc.**

Patent #  
6,324,605

represented by **Jay R. Campbell**  
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V.

**Defendant**

**Lastar, Inc.**

represented by **David A. Shough**



3. Upon information and belief, Cables To Go has a principal place of business at 3555 Kettering Blvd., Dayton, OH 45439.

4. Upon information and belief, Laster does business as Cables To Go or wholly owns Cables To Go. CABLES TO GO is a federally registered trademark and state registered trade name of Laster.

### **JURISDICTION AND VENUE**

1. Upon information and belief, defendants regularly do business in this judicial district through their acts selling and offering products for sale in this district.

2. Upon information and belief, defendants offer for sale and/or sell in this district and elsewhere peripheral switches that infringe one or more claims of the '605 Patent. Such switches include, but are not limited to, the Cables To Go TruLink 2 Port VGA/USB and PS/2 KVM Switch (product number 35554), the Cables To Go TruLink 4-Port VGA/USB and PS/2 KVM Switch (product number 35555) and the Cables To Go TruLink® 4-Port VGA/USB 2.0 and PS/2 KVM Switch with Audio (product number 35566).

3. Upon information and belief, defendants offer for sale and/or sell peripheral switches that infringe one or more claims of the '605 Patent by and through PROVANTAGE® Superstore, located at 7249 Whipple Avenue NW, North Canton, Ohio 44720 USA.

4. This action arises under the Patent Laws of the United States, Title 35, United States Code. This Court has jurisdiction under 28 U.S.C. §1338(a).

5. Venue is proper in this district under 28 U.S.C. §§1391(b) and (c) and 1400(b).

**FACTUAL BACKGROUND**

6. VPI makes and sells a variety of computer and network devices and related products, including peripheral switches.

7. Peripheral switches are devices or combinations of devices that perform at least one of two functions: 1) selectively connecting a peripheral to one of a number of computers, and/or 2) selectively connecting a computer to one of a number of peripherals.

8. One type of peripheral switch is a keyboard, video and mouse (“KVM”) switch. Some KVM switches function to selectively connect a keyboard, a mouse and a video display to one of a number of computers, thereby allowing a user at a single location to selectively control different computers or servers using a single keyboard, mouse and video display.

9. Some KVM switches function to selectively connect a computer to one of a number of groups of devices, each group including a keyboard, a mouse and a video display, thereby allowing users to control a selected computer using one of multiple groups of keyboard, mouse and video display devices.

10. VPI is the owner by assignment of United States Patent No. 6,324,605 (“the ‘605 Patent”) entitled COMPUTER AND PERIPHERAL SWITCH WITH USB. The ‘605 Patent was duly and legally issued by the United States Patent and Trademark Office on November 27, 2001, and subject to a reexamination certificate, issued on July 22, 2008. A copy of the ‘605 Patent is attached as Exhibit A.

11. The ‘605 Patent is still in force and effect and is presumed valid under the U.S. patent laws.

12. Upon information and belief, defendants have notice of and are aware of the ‘605 Patent.

**COUNT I: INFRINGEMENT OF THE '605 PATENT**

13. VPI incorporates by reference the allegations of Paragraphs 1-12 of this Complaint.

14. Defendants have been and still are directly infringing the '605 Patent under 35 U.S.C. §271(a) by making, using, offering to sell, and/or selling peripheral switches that directly infringe claims of the '605 Patent. Such switches include, but are not limited to, Cables To Go product numbers 35554, 35555, and 35566.

15. Upon information and belief, defendants' infringement the '605 Patent will continue unless enjoined by this Court.

16. As a result of defendants' infringement, VPI has suffered monetary damages in an amount not yet determined, and will continue to suffer irreparable harm in the future unless defendants' infringing activities are enjoined by this Court.

**PRAYER FOR RELIEF**

Plaintiff VPI prays for the following relief:

- (a) A judgment that defendants have directly infringed and continue to infringe the '605 Patent;
- (b) A judgment against defendants awarding VPI damages suffered by VPI pursuant to 35 U.S.C. §284 on account of defendants' infringement of the '605 Patent;
- (c) A judgment against defendants awarding VPI enhanced damages, pursuant to 35 U.S.C. §284;
- (d) A judgment that this is an exceptional case and that VPI be awarded reasonable attorney fees and expenses pursuant to 35 U.S.C. §285;

- (e) A preliminary injunction against defendants and any entity acting in concert with defendants, pursuant to 35 U.S.C. §283, preventing defendants and any such entity from infringing the '605 Patent;
- (f) A permanent injunction against defendants and any entity acting in concert with defendants, pursuant to 35 U.S.C. §283, preventing defendants and any such entity from infringing the '605 Patent; and
- (g) A judgment that defendants be directed to pay VPI its costs incurred herein and such other and further relief as the Court deems just and equitable.

Date: May 17, 2010

Respectfully submitted,

s/ Mark C. Johnson

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*Attorneys for Plaintiff Video Products Inc.*

**JURY DEMAND**

Plaintiff VPI respectfully requests a trial by jury as to all issues so triable.

Respectfully submitted,

s/ Mark C. Johnson

Jay R. Campbell, Reg. No. 0041293

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*An Attorney for Plaintiff Video Products Inc.*

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

VIDEO PRODUCTS INC.	)	Civil Action No. 5:10-cv-1108
	)	
Plaintiff,	)	JUDGE LIOI
	)	
v.	)	
	)	
LASTAR, INC.	)	
	)	
Defendant.	)	

**ORDER GRANTING JOINT MOTION TO DISMISS**

Plaintiff Video Products Inc. ("Video Products") and Defendant Lastar, Inc. ("Lastar") have entered into an agreement to settle Video Products' claims against Lastar. Therefore, the parties request that this Order dismissing all claims and counterclaims be entered in this action:

1. The Court has jurisdiction over the parties and subject matter of this action.
2. Video Products is the owner of United States Patent No. 6,324,605 ("the '605 Patent") and in its Complaint has asserted infringement of the '605 Patent by the manufacture, sale and offer to sell of certain USB KVM switches.
3. Lastar agrees that the '605 Patent is valid and enforceable.
4. Lastar does not contest the allegations of infringement made in this action.
5. Pursuant to the settlement agreement, all claims and counterclaims in this action are *dismissed with prejudice*.

**IT IS SO ORDERED.**

Each party shall it bear its own fees and costs.

Dated: February 15, 2011

  
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**HONORABLE SARA LIOI  
UNITED STATES DISTRICT JUDGE**